

***BYRON TOWNSHIP ZONING BOARD OF APPEALS
REGULAR MEETING - January 22, 2003
MINUTES***

The regular meeting of the Byron Township Board of Appeals was called to order by Vice Chairman James Haagsma on Wednesday January 22, 2003 at 7:00 p.m., at the Byron Township Offices, 8085 Byron Center Ave., Byron Center, MI.

Members present were: James Haagsma, Seymour Gould and Jeff Brinks
Members Absent: Abe Vander Woude and Kathy Burgess

7:00 p.m. Larry Wormmeester - for a 134' lot frontage variance for property located at: 7160 Ivanrest.

Mr. Jeff Brinks read the public notice. All property owners within 300 feet of the subject property were notified and one written responses was received. Jeff Brinks then read the letter from Mr. David Horner who property is adjacent to the subject property stating that he is in favor of this variance.

Mr. Larry Wormmeester was present to state why this variance is needed. He began by giving a brief history of the property involved. He stated that at this time he is only asking for permission for the split. He said he would put the cul-de-sac in later when someone applies for a building permit

Robert Hynes - 3120 Rush Creek Dr. was concerned about how many homes could actually be built on that property. He also stated that it sounds like things could change over time.

Michael Smalligan - 3092 Rush Creek Dr. mentioned that he is curious has to what will happen to this property. He was concerned as to how many split's could be made on this piece of property.

Mr. Wormmeester was asked to respond to some of these concerns that were mentioned. He stated that it can only be split one more time. If someone buys the 14.35 acres parcel, then 10 years from now it can be split again. He stated that at this time the potential would be for 1 home site, 1 buyer and a possible split 10 years from now. If water & sewer were to come through, there would be no more that 4 building sites (3 acre parcels each).

Vice Chairman Jim Haagsma closed the public portion of the meeting.

Seymour Gould stated that he has a real concern here. If we approve this, we are creating an illegal parcel. There is no cul-de-sac. If the cul-de-sac were there it would be legal, but if nothing happens, and the cul-de-sac is never put in, we have created a piece of property that is land locked.

Jeff Brinks commented maybe if we grant the variance, but put a stipulation that a bond or letter of credit be established with a time limit for the cul-de-sac to be constructed.

Seymour Gould stated that he feels we should seek legal advice in this matter. He made a suggestion to table this until the next regular meeting to be held on February 26, 2003. He advised those in the audience that if this is tabled until then, that there would not be another public hearing, but they were welcome to come back and hear any further discussion and the decision regarding this variance.

After additional discussion a motion was made by Gould supported by Brinks to table this request until the next regular scheduled meeting on February 26, 2003 at 7:00pm.

Roll call vote: Brinks - yes, Gould - yes, Haagsma - yes. Motion Carried.

7:15 p.m. City Sign Erectors - for a variance to permit a flashing and/or intermittently illuminated sign for the property located at 531 - 68th St. SW (Mc Donalds).

No one was present to represent City Sign Erectors.

Seymour Gould commented that due to lack of interest on the applicant's part that we should just deny this request.

Jeff Brinks commented that this application was a day late to begin with, and now we have waited an additional 25 minutes for someone to show up.

A motion was made by Gould, supported by Brinks, to deny the request from City Sign Erectors.

Roll call vote: Brinks - yes. Gould - yes. Haagsma - yes. Motion Carried.

Approval of the minutes of the December 18, 2002 meeting.

A motion was made by Gould, supported by Brinks to approve the minutes as written. All voted aye.

Motion carried.

Miscellaneous

Township Supervisor Larry Silvernail asked for a list of names for consideration to serve as possible alternates for the Zoning Board of Appeals. Three names were suggested for consideration, David Rook, Doug Tubergen, and Bruce De Boer.

Adjournment

7:45 p.m. It was moved by Haagsma, supported by Brinks to adjourn the meeting. All voted aye.

Motion Carried.

Jeff Brinks
Secretary of Board of Appeals

